

REMARKS/ARGUMENTS

The claims are 1, 3, 5 and 6. Claim 1 has been amended to incorporate the subject matter of claim 2 and claim 4 has been rewritten in independent form as new claim 6 including the subject matter of claim 1 as amended. Accordingly, claims 2 and 4 have been canceled, and claims 3 and 5, which previously depended on claims 2 and 4, respectively, have been amended to depend on amended claim 1 and new claim 6, respectively. The claims have also been amended to improve their form or to delete reference numerals. Reconsideration is expressly requested.

Claim 1 was rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over the article "Breakthrough in Biotechnology" (*Durchbruch in der Biotechnologie, mit RMPD®-microFLUIDIK*, (October 24, 2000)).

Claims 4 and 5 were rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over *Gotzen DE 101 44 579*. The Examiner also indicated, however, that claims 2 and 3 contain allowable subject matter and would be allowed if rewritten in independent form including all

the limitations of the base claim and any intervening claims.

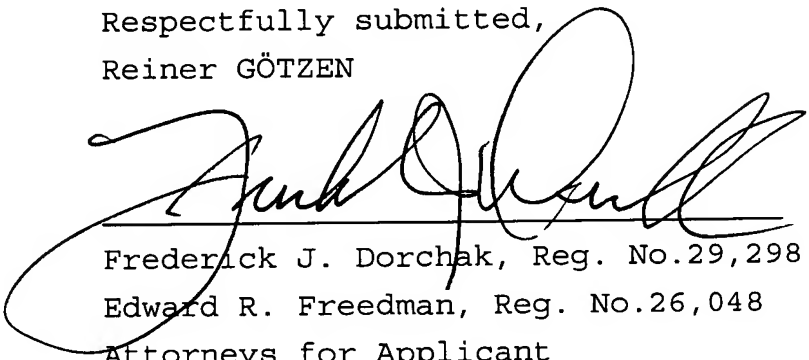
In response, without conceding the propriety of the Examiner's rejections and in order to expedite prosecution of this case, Applicant has amended claim 1 to incorporate the subject matter of claim 2, has amended claim 3 to depend on claim 1 as amended, and has canceled claim 2. Accordingly, it is respectfully submitted that claim 1 as amended, together with claim 3 which depends thereon, is now in condition for allowance.

In addition, claim 4 has been canceled in favor of new claim 6, which includes the subject matter of claim 1 as amended, and claim 5 has been amended to depend on new claim 6. Accordingly, it is respectfully submitted that new claim 6, together with claim 5 which depends thereon, is now in condition for allowance as well.

In summary, claims 1, 3 and 5 have been amended, claims 2 and 4 have been canceled, and new claim 6 has been added. In view of the foregoing, it is respectfully requested that the claims be allowed and that this application be passed to issue.

Respectfully submitted,
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Amy Klein

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